

United States Court of Appeals

FOR THE EIGHTH CIRCUIT

No. 97-3406WMKC

John C. Burns,

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Appellant,

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vs.

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Order Denying Petition for
Rehearing and for Rehearing
En Banc

James A. Gammon; Jeremiah (Jay)

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Nixon, Attorney General, Missouri,

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[PUBLISHED]

Appellees.

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The petition for rehearing en banc is denied.

RICHARD S. ARNOLD, Circuit Judge, with whom WOLLMAN, Chief Judge, BEAM
and MURPHY, Circuit Judges, join, would grant the petition for rehearing en banc for the
purpose of re-examining Nolan v. Armontrout, 973 F.2d 615 (8th Cir. 1992).

The petition for rehearing by the panel is also denied.

(5128-010199)

June 2, 1999

Order Entered at the Direction of the Court:

Clerk, U.S. Court of Appeals, Eighth Circuit